



**The Commonwealth of Massachusetts**

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**DEPARTMENT OF  
TELECOMMUNICATIONS AND ENERGY**

MEMORANDUM

TO: D.T.E. 03-60 Service List

FROM: Paula Foley, Assistant General Counsel

RE: Outstanding Procedural Motions; Service List

DATE: November 14, 2003

CC: Mary Cottrell, Secretary

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I. REQUESTS TO INTERVENE

On September 16, 2003, the following entities submitted requests to intervene in this proceeding, although at the time they did not identify counsel to represent them: United Systems Access Telecom ("USAT"); Richmond Connections, Inc. d/b/a Richmond Networkx ("Richmond Networkx"); and Communications Workers of America, District 1 ("CWA"). At the Department's September 25, 2003 procedural conference, I indicated that these entities would be given a specified time in which to identify counsel or their requests to intervene would be denied (Tr. at 11-12). Subsequently, notices of appearance of counsel were timely filed by all three entities. The Department received no objections to the requests for intervention filed by USAT, Richmond Networkx, or CWA.

I determine that, as competitive local exchange carriers operating in Massachusetts, USAT and Richmond Networkx are substantially and specifically affected by the issues in this proceeding. Therefore, USAT and Richmond Networkx are granted full intervenor status in this proceeding. In the request to intervene of CWA, a labor union representing employees at Verizon Massachusetts and AT&T Communications of New England, Inc. ("AT&T"), CWA indicated that it was seeking to participate because of its "interest in this proceeding that will impact the financial ability of [its members'] employers Verizon and AT&T to maintain appropriate staffing levels" (CWA Request to Intervene at 1). I determine that, because CWA seeks to participate in this proceeding for this limited purpose, CWA will be granted status as a limited participant, with the right to receive copies of filings, and to file initial and reply briefs, should it choose to do so.

II. MOTIONS TO APPEAR PRO HAC VICE

Since the Department's September 25, 2003 procedural conference, the Department has received the following Motions to Appear Pro Hac Vice in this proceeding: Harry M. Davidow, Esq., for AT&T; Scott Sawyer, Esq., for Conversent Communications of Massachusetts, LLC; Lawrence Malone, Esq. and Steven Buhr, Esq., for Z-Tel Communications, Inc.; and Eric Nelsen, Esq., for Richmond Network. No party objected to any of these motions. After reviewing the motions, I determine that the above-named attorneys have demonstrated sufficient qualifications to appear before the Department in this matter, therefore, the above Motions to Appear Pro Hac Vice are granted.

III. SERVICE LIST

Attached to this Memorandum please find an updated service list for this proceeding. Please contact me regarding any changes.

If you have any questions, please contact me at (617) 305-3608.

Under the provisions of 220 C.M.R. § 1.06(6)(d)(3), any party may appeal the rulings in this memorandum to the Commission by filing a written appeal with supporting documentation within three (3) days of this memorandum.

Att.